

Appl. No. 09/994,557  
Atty. Docket No. CM-2478M  
Amdt. dated November 17, 2005  
Reply to Office Action of August 24, 2005  
Customer No. 27752

## REMARKS

### I. Introduction.

Claims 1-13 and 15-24 are pending. Of these claims, Claims 4, 5, 7, and 11-13 were withdrawn from consideration by the Examiner. Claims 23 and 24 were rejected under 35 U.S.C. Section 112, first paragraph. Claims 1-3, 6, 8-10, and 15-22 stand rejected under 35 U.S.C. Section 103(a).

### II. The 35 U.S.C. Section 112 Rejection.

Claims 23 and 24 were rejected under 35 U.S.C. Section 112, first paragraph. The Office Action, referring to page 22 of the specification, states that the specification is only enabling for an embodiment where the particulate composition and the anhydrous composition are placed in two different horizontal layered compartments wherein the anhydrous composition is placed above the particulate composition.

The statement in the Office Action is incorrect, and the rejection should be reconsidered and withdrawn. The specification clearly states "[p]referably the compartment comprising the detergent auxiliary is placed above or adjacent the compartment comprising the moisture-sensitive detergent active . . . ." Specification page 9, lines 5-9 (emphasis added). The specification further states that:

[t]he pouch can be of any form, shape and material which is suitable to hold the composition . . . . The exact execution will depend on, for example, the type and amount of the composition in the pouch, the number of compartments in the pouch, the characteristics required from the pouch to hold, protect and deliver or release the composition and/or components thereof." Specification page 9, lines 20-26.

The examples on page 22 of the specification do not state that they are intended to limit the scope of the invention to pouches in which the particulate composition and the detergent auxiliary are placed in two different horizontal layered compartments, with the anhydrous composition positioned above the particulate composition.

In addition, the Applicants are submitting with this Amendment, a Declaration from Kent R. Lynde that states that he believes that a person of ordinary skill in the art, having reviewed the specification of the present patent application would know how to

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make, at least by hand, pouches having configurations other than pouches in which the particulate composition and the anhydrous composition are placed in two different horizontal layered compartments, wherein the anhydrous composition is placed above the particulate composition.

Notwithstanding the foregoing, the Applicants have amended Claim 23 to provide that in the embodiment claimed therein, the compartment comprising the detergent auxiliary is placed above the compartment comprising the particulate or densified particulate automatic dishwashing product. In view of the foregoing, the Applicants respectfully request that the 35 U.S.C. Section 112 rejection of Claims 23 and 24 should be reconsidered and withdrawn.

### III. The 35 U.S.C. Section 103(a) Rejection.

Claims 1-3, 6, 8-10, 15-22, 23 and 24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 4,115,292 issued to Richardson, et al. in view of U.S. Patent 4,776,455 issued to Anderson, et al.

The Applicants respectfully request that this rejection be reconsidered and withdrawn. The combination of references does not teach or disclose a method of washing dishware/tableware in an automatic dishwashing machine comprising the steps of: (1) providing a multi-compartment water soluble pouch comprising pouch material, wherein said multi-compartment pouch is made by a step of forming an open pouch in a mould wherein the pouch material is flush with the inner walls of the mould, and takes the shape of the mould, and said pouch is configured to define an internal volume that is divided into two or more compartments, wherein a piece of pouch material creates a barrier that divides the internal volume of said pouch into said two or more compartments which are separated from each other, and one of said compartments contains a particulate or densified particulate automatic dishwashing product and another of said compartments contains an anhydrous liquid, gel or paste form of a dishwashing detergent auxiliary wherein the compartment comprising the detergent auxiliary is placed above or adjacent the compartment comprising the particulate or densified particulate automatic dishwashing product; and (2) simultaneously or sequentially delivering quantities of said particulate or densified particulate automatic dishwashing product and of said anhydrous liquid, gel or paste form of a dishwashing detergent auxiliary contained in said separate compartments of

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said multi-compartment pouch into the same or different cycles of the dishwashing machine and contacting said dishware/tableware therewith.


In view of the foregoing, it is respectfully submitted that this rejection should be reconsidered and withdrawn.

IV. Summary.

In view of the foregoing, reconsideration of the application and allowance of all claims are respectfully requested.

Respectfully submitted,

The Procter & Gamble Company

By   
Jeffrey V. Bamber  
Attorney for Applicant(s)  
Registration No. 31,148  
(513) 627-4597

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